

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-14 are presently active; Claims 1, 5, and 6 having been presently amended; and Claims 7-14 have been presently added.

In the outstanding Office Action, Claims 1 and 5-6 were rejected under 35 U.S.C. § 102(b) as being anticipated by Applegate et al (U.S. Pat. No. 5,995,774). Claims 2-4 were objected to for being dependent from a rejected base claim but would be allowable if rewritten in independent form to include the limitations of the base claim and any intervening claims.

Applicants acknowledge with appreciation the indication of allowable subject matter in Claims 2-4. Consistent with the identified allowable subject matter, Claim 1 has been amended to define that the control means is configured to perform a comparison of the operation specifications stored between the first and second storing means, and based on the comparison to determine whether the image forming means is in an operational state.

M.P.E.P. § 2131 requires for anticipation that each and every feature of the claimed invention must be shown and requires for anticipation that the identical invention must be shown in as complete detail as is contained in the claim. While Applegate et al disclose an EPROM 144 that stores "important information" relating to printer 10 and process cartridge 100 (see col. 10, lines 29-31) and disclose the storage of "machine data" in the non-volatile memory of printer 10 being transferred to EPROM 144 after the process cartridge is "married" to a particular printer (see col. 20, lines 10-13), there is no disclosure in Applegate et al for comparing stored information between these memory components in order to determine an operational state of the image forming apparatus.

Thus, it is respectfully submitted that independent Claim 1 and the claims dependent therefrom patentably define over Applegate et al.

Application No. 09/994,620
Reply to Office Action of September 23, 2005

Independent Claims 5-14 define similar features to Claim 1, and are likewise believed to patentably define over Applegate et al.


Consequently, in view of the present amendment and in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)
GJM:RAR:clh


Gregory J. Maier
Attorney of Record
Registration No. 25,599
Ronald A. Rudder, Ph.D.
Registration No. 45,618

I:\atty\RAR\amendments\216's\216563US\am.doc